

# HOUSE . . . . . No. 1872

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By Mr. Coughlin of Dedham, petition of Robert K. Coughlin relative to establishing the missing child and adults trust fund. Public Safety and Homeland Security.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO THE IMPROVEMENT IN THE COMMONWEALTH'S CAPABILITY TO LOCATE AND IDENTIFY MISSING CHILDREN AND ADULTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1     SECTION 1. (a) There is hereby created a body politic and cor-  
2     porate and a public instrumentality to be known as the Massachu-  
3     setts Missing Child and Adults Trust Fund, which shall be an  
4     independent public authority not subject to the supervision and  
5     control of any other executive office, department, commission,  
6     board, bureau, agency or political subdivision of the common-  
7     wealth except as specifically provided in any general or special  
8     law. The exercise by the authority of the powers conferred by this  
9     chapter shall be considered to be the performance of an essential  
10    public function.

11    (b) The authority shall consist of the state treasurer, who shall  
12    serve as chairperson, one member shall be appointed by the gov-  
13    ernor, one member shall be appointed by the attorney general, one  
14    member shall be appointed by the Massachusetts Sheriffs' Associ-  
15    ation, one member shall be appointed by the Massachusetts Chiefs  
16    of Police, two members shall be appointed by the Senate Presi-  
17    dent, one of whom shall be involved with missing children or  
18    missing adults, and, two members shall be appointed by the  
19    Speaker of the House of Representatives, one of whom shall be  
20    involved with missing children or missing adults; each of whom  
21    shall serve a term of 2 years; but, a person appointed to fill a  
22    vacancy shall serve only for the unexpired term. An appointed

23 member of the authority shall be eligible for reappointment. The  
24 authority shall annually elect one of its members to serve as vice-  
25 chairperson.

26 (c) Five (5) members of the authority shall constitute a quorum,  
27 and the affirmative vote of 5 members of the authority shall be  
28 necessary and sufficient for any action taken by the authority. No  
29 vacancy in the membership of the authority shall impair the right  
30 of a quorum to exercise all the rights and duties of the authority.  
31 Members shall serve without pay but shall be reimbursed for  
32 actual expenses necessarily incurred in the performance of their  
33 duties. The chairperson of the authority shall report to the gov-  
34 ernor and to the General Court no less than annually, to assist the  
35 executive and legislative branches in coordinating educational,  
36 community development and fiscal policies of the commonwealth.

37 (d) Any action of the authority may take effect immediately and  
38 need not be published or posted unless otherwise provided by law.  
39 Meetings of the authority shall be subject to section 11A½ of  
40 chapter 30A; but, said section 11A½ shall not apply to any  
41 meeting of members of the authority serving ex officio in the  
42 exercise of their duties as officers of the commonwealth so long as  
43 no matters relating to the official business of the authority are dis-  
44 cussed and decided at the meeting. The authority shall be subject  
45 to all other provisions of said chapter 30A. The operations of the  
46 authority shall be subject to all other operational or administrative  
47 standards or requirements to the same extent as the office of the  
48 state treasurer.

1 SECTION 2. The authority, under the direction of the state  
2 treasurer, shall at all times keep accounts of all receipts, expendi-  
3 tures and disbursements and all assets and liabilities of the  
4 authority, which shall be open to inspection by any officer or duly  
5 appointed agent of the commonwealth. The authority shall submit  
6 an annual report, in writing, to the governor and the clerks of the  
7 house of representatives and the senate, who shall forward the  
8 same to the president of the senate, the speaker of the house of  
9 representatives, the chairpersons of the house and senate commit-  
10 tees on ways and means and the house and senate chairpersons of  
11 the respective committees on public safety. The report shall  
12 include financial statements relating to the operations, assets and

13 expenditures of the authority maintained in accordance with gen-  
14 erally accepted accounting principles so far as applicable and  
15 audited by an independent certified public accountant firm.

1 SECTION 3. Expenditures from said fund shall be subject to  
2 appropriation. An appropriation of \$2,200,000.00 shall be made  
3 for fiscal year 2006. The purpose of said fund shall be to provide  
4 financial support to the commonwealth's law enforcement agen-  
5 cies, departments, and offices to improve their respective capabili-  
6 ties to locate and identify missing children and adults.  
7 Notwithstanding the provisions of any general or special law to  
8 the contrary, said treasurer shall make available from said fund  
9 \$150,000 in fiscal year 2006, as a grant to the Berkshire County  
10 Sheriff's Office for its participation in Nation's Missing Children  
11 Organization and National Center for Missing Adults iris bio-  
12 metric system known as The Child Project; \$150,000 as a grant to  
13 the Franklin County Sheriff's Office for its participation in  
14 Nation's Missing Children Organization and National Center for  
15 Missing Adults iris biometric system known as The Child Project;  
16 \$150,000 as a grant to the Hampshire County Sheriff's Office for  
17 its participation in Nation's Missing Children Organization and  
18 National Center for Missing Adults iris biometric system known  
19 as The Child Project; \$150,000 as a grant to the Hampden County  
20 Sheriff's Office for its participation in Nation's Missing Children  
21 Organization and National Center for Missing Adults iris bio-  
22 metric system known as The Child Project; \$150,000 as a grant to  
23 the Worcester County Sheriff's Office for its participation in  
24 Nation's Missing Children Organization and National Center for  
25 Missing Adults iris biometric system known as The Child Project;  
26 \$150,000 as a grant to the Middlesex County Sheriff's Office for  
27 its participation in Nation's Missing Children Organization and  
28 National Center for Missing Adults iris biometric system known  
29 as The Child Project; \$150,000 as a grant to the Essex County  
30 Sheriff's Office for its participation in Nation's Missing Children  
31 Organization and National Center for Missing Adults iris bio-  
32 metric system known as The Child Project; \$150,000 as a grant to  
33 the Suffolk County Sheriff's Office for its participation in  
34 Nation's Missing Children Organization and National Center for  
35 Missing Adults iris biometric system known as The Child Project;

36 \$150,000 as a grant to the Norfolk County Sheriff's Office for its  
37 participation in Nation's Missing Children Organization and  
38 National Center for Missing Adults iris biometric system known  
39 as The Child Project; \$150,000 as a grant to the Middlesex  
40 County Sheriff's Office for its participation in Nation's Missing  
41 Children Organization and National Center for Missing Adults iris  
42 biometric system known as The Child Project; \$150,000 as a grant  
43 to the Plymouth County Sheriff's Office for its participation in  
44 Nation's Missing Children Organization and National Center for  
45 Missing Adults iris biometric system known as The Child Project;  
46 \$150,000 as a grant to the Bristol County Sheriff's Office for its  
47 participation in Nation's Missing Children Organization and  
48 National Center for Missing Adults iris biometric system known  
49 as The Child Project; \$150,000 as a grant to the Barnstable  
50 County Sheriff's Office for its participation in Nation's Missing  
51 Children Organization and National Center for Missing Adults iris  
52 biometric system known as The Child Project; \$150,000 as a grant  
53 to the Dukes County Sheriff's Office for its participation in  
54 Nation's Missing Children Organization and National Center for  
55 Missing Adults iris biometric system known as The Child Project;  
56 and, \$50,000 as a grant to the Nantucket County Sheriff's Office  
57 for its participation in Nation's Missing Children Organization  
58 and National Center for Missing Adults iris biometric system  
59 known as The Child Project.

1     SECTION 4. The authority shall file a report not later than  
2 January 1, 2006, to the Speaker of the House of Representatives,  
3 the President of the Senate, the House and Senate committees on  
4 ways and means, and the respective House and Senate committee  
5 on public safety, a report delineating any and all initiatives or pro-  
6 posals recommended to be funded, the amount recommended to  
7 be expended on each such initiative; the names of each entity rec-  
8 ommended to receive funds pursuant to this section and the extent  
9 to which such expenditures are eligible for federal reimbursement;  
10 provided further, that any federal reimbursements received by the  
11 commonwealth for expenditures made from the fund shall be  
12 deposited into the fund.